

community benefit greatly from. Temple B'nai Hayim is the only Conservative synagogue in Sherman Oaks and is now celebrating its 40th anniversary. Rabbi Sally Olins, the first female Conservative rabbi on the West Coast, now serves the members of Temple B'nai Hayim.

Rabbi Olins received master's degrees in kinesiology and dance therapy from UCLA. Later she attended the University of Judaism in Los Angeles and earned a master's degree in Jewish philosophy. After studying at New York's Academy for Jewish Religion, five years of in-depth study of the Talmud, the Torah, biblical and modern Hebrew, history, law and more, Rabbi Olins was ordained in 1989.

Temple B'nai Hayim appointed her as its first female rabbi. Rabbi Olins has been appointed to the executive committee of the Rabbinic Assembly of the Pacific Southwest Region, where she serves on the Bet Din (Court of Law) Committee of Conversions.

Rabbi Olins has been an integral figure in building a congregation and community at Temple B'nai Hayim. She spends countless hours making herself available to the fortunate members of the Temple. Today, we honor Rabbi Olins for her 10 years of service and not to be outdone, we also celebrate the 40th anniversary of Temple B'nai Hayim.

Mr. Speaker, distinguished colleagues, please join me in honoring Rabbi Sally Olins and Temple B'nai Hayim on this joyous and memorable day.

TRIBUTE TO LT. COL. CHESTER A.  
RILEY, USMC

**HON. C.W. BILL YOUNG**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. YOUNG of Florida. Mr. Speaker, I rise today to recognize an outstanding Marine Corps officer, Lieutenant Colonel Chester A. Riley who for the past three years has served with distinction as the Commandant of the Marine Corps and the Assistant Secretary of the Navy, Financial Management and Comptroller as a Principal Assistant and Deputy in the Appropriations Matters Office. It is a privilege for me to recognize his many outstanding achievements and commend him for the superb service he has provided to the Marine Corps, the Department of the Navy, the Congress, and our great nation.

During this tenure in the Appropriations Matters Office, which began in October 1996, Lieutenant Colonel Riley has provided members of the House Appropriations Subcommittee on Defense as well as our professional and personal staffs with timely and accurate support regarding Marine Corps plans, programs and budget decisions. His valuable contributions have enabled the members of the Subcommittee, which I had the privilege to Chair the past four years, the Marine Corps and the Department of the Navy to strengthen its close working relationship and to ensure the most modern, well trained and well equipped fighting force and naval presence in the world for our great nation.

Mr. Speaker, Chet Riley and his wife Licia have made many sacrifices during his career

in the United States Marine Corps and as they embark upon the next great adventure beyond their beloved Corps, I call upon my colleagues to wish him every success and to thank him for his long, distinguished and ever faithful service to God, country and Corps. Semper Fidelis Lieutenant Colonel Riley.

PROMOTING HUMAN RIGHTS IN  
THE PURSUIT OF PEACE—AD-  
DRESS OF ASSISTANT SEC-  
RETARY OF STATE HAROLD KOH

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, May 14, 1999*

Mr. LANTOS. Mr. Speaker, a few weeks ago I participated in an extremely interesting and important symposium entitled "Promoting Human Rights in the Pursuit of Peace: Assessing 20 Years of U.S. Human Rights Policy." This symposium was organized by the U.S. Institute of Peace to mark two decades since the creation of the Bureau of Human Rights at the Department of State. The conference focused on the implementation of human rights policies and ways in which the United States can improve its ability to promote the protection of human rights. This was just another example of the excellent work which the U.S. Institute of Peace under the outstanding leadership of Dick Solomon has done.

Mr. Speaker, the keynote address at this symposium was given by Harold Hongju Koh, the Assistant Secretary of State for Democracy, Human Rights, and Labor. His remarks were insightful and provocative in discussing the problems we face in the fight for human rights in the international context of the post-Cold War World and the information age. Assistant Secretary Koh provided an excellent summary of the Administration's goals and objectives as well as the means it is using to pursue them.

Among the participants at the conference were two other of our colleagues in the Congress: my fellow Californian, Congresswoman NANCY PELOSI, and my fellow co-chair of the Congressional Human Rights Caucus, Congressman JOHN PORTER of Illinois. Others who participated in the symposium were the Hon. Morton Halperin of the Department of State, the Hon. Charles H. Fairbanks, Jr., of the Central Asia-Caucasus Institute, and the Hon. James Bishop of the American Council for Voluntary International Action.

I ask, Mr. Speaker, that key excerpts of Assistant Secretary Koh's remarks be placed in the CONGRESSIONAL RECORD, and I invite my colleagues to give thoughtful attention to his excellent statement.

PROMOTING HUMAN RIGHTS IN THE PURSUIT OF  
PEACE: ASSESSING 20 YEARS OF U.S. HUMAN  
RIGHTS POLICY

\* \* \* Human rights and democracy remain fundamental principles around which our world is now organized. Although much has changed in the 50 years since the Universal Declaration on Human Rights proclaimed that all human beings are "free and equal in

dignity and rights," the fundamental fact is that the world today is more free than at any time in history. Ten years after the Cold War, we have seen not the end of history, but the beginning of a whole new set of challenges for human rights. From Bosnia to Burma, from Kosovo to Kigali, we are now witnessing the need for human rights policy, with national, intergovernmental, and transnational actors moving to adapt to changing developments and to try to stay one step ahead of the horror.

To understand the challenges that are now facing us, \* \* \* let us speak in two parts: first about what I would call the human rights paradigm has evolved in the past 50 years and then \* \* \* the evolution of this human rights paradigm. I will refer temporarily from bureaucrat to pedant. And then, second, I would indicate how our government ought to respond to the current paradigm as I see it now in this, the turn of the century, how we address what you could call the human rights Y2K problem.

In the early years of this half century, in the wake of World War II, the paradigmatic violation was genocide. To prevent future genocides, global human rights policy focused centrally on three key themes: first, accountability—as we saw at the Nuremberg and Tokyo Tribunals; second, standard-setting, through legal texts like the Universal Declaration and human rights covenants like the International Covenant on Civil and Political Rights; and third, institution-building, with the development of a network of intergovernmental organizations to deal with global and regional human rights problems.

In the second phase, the paradigm shifted, and the focal point of global human rights concern became political dissidents and prisoners of conscience. We can think about this as the Amnesty-Sharansky period, where response mechanisms began to focus more insistently upon mechanisms of monitoring and advocacy, coalition-building to achieve effective advocacy, and focused on the dramatic growth of nongovernmental organizations. \* \* \*

In the third phase, which began roughly with the end of the Cold War, the focal point shifted again, to issues of group conflict and group dilemmas: ethnic struggles, massive refugee outflows, and a horrific renewal of genocide in Bosnia and Rwanda. The search for solutions began to turn toward questions of preventive diplomacy, and diplomacy backed by force, issues of humanitarian intervention, and development of transnational networks of national governments, intergovernmental organizations, nongovernmental actors, and what I have called in my academic work, transnational norm entrepreneurs: from Jimmy Carter to Vaclav Havel to Aung San Suu Kyi to Nelson Mandela, to Tom Lantos and John Porter to Mary Robinson, who have used their stature and governmental position, their international stature, to bring the message of human rights into the exercise of capacity-building with goal of creating a human rights response.

Now in the current phase of modern human rights policy, what I would call the fourth phase, we now have a very complex picture in which all of the elements that I have described are now present. We live in a world where, unfortunately, the threat of genocide has not been dispelled, in which prisoners of conscience remain imprisoned, in which ethnic and group conflict continues to rage and expand, but in which we now have a complex and somewhat unwieldy response mechanism

that involves transnational networks but also new tools of accountability, standard setting, monitoring, advocacy, and preventive diplomacy. They work with differing degrees of effectiveness. Witness, for example, the struggle that we face now to deal with the preventive issues in Kosovo.

Well, if this is where the human rights paradigm stands at the end of this century, what are our challenges? Let me suggest three that have increasingly commanded my attention since I have assumed this position: what I call the challenge of globalization, the challenge of non-state actors, and the challenge of self-governance and democracy.

It is commonplace, of course, to say that we stand in an era of globalization and integration. Today, states are engaging with each other in a growing range of activities that transcend national borders. National economies are becoming increasingly intertwined. Trade, the environment, security, and population issues have become powerful forces for integration. New technologies of communication and transportation—fax machines, satellite and cell phones, satellite TV, and the Internet—are bringing people of different countries and cultures much closer together. Yet at the same time that we are moving closer together, we also are breaking down traditional vertical power structures. Breathtaking changes in technology are creating a world where information flows more and more freely. We are moving from a hierarchical, bi-directional model of authority to a non-hierarchical, multi-directional network model.

The result of this, as Congressman Lantos suggested, is the erosion of the traditional power of governments over information, which has had tremendous implications for the relationship between individuals and authority. These trends, in my view, can only benefit the movement toward greater freedom. And here I think we need to emphasize both human rights information and human rights standards, both of which I think have become much more widely promulgated as a result of globalization.

At the same time that information has been expanding, this increasing global contact has created a renewed emphasis on universal human rights standards, particularly how the norms of the Universal Declaration and the International Bill of Rights can operate as a standard to guide conduct. It is surprising how far we have gone in conquering the debate over Asian values. As Aung San Suu Kyi of Burma has written, it is precisely because countries are coming into increasing contact that it is important for us to adhere to a common set of basic human rights standards in our dealings with other countries and in our own internal systems of government. Just as global Internet standards allow us to communicate with one another in the same language and computer code, the promulgation of universal human rights standards through global contacts allows us to communicate with one another in the language of rights.

One of the most striking things I have seen in my extensive dealings with the Chinese is the extent to which there has been progress in the sense that they now speak the language of universal human rights. Of course, we differ dramatically on its application. But in the sense of saying that they once did not believe in these universal values, they now believe in these values. And moreover, they make reference to these linguistic terms. The question then becomes how to

bring the terms and standards to bear on conduct.

Now these developments I also think have dramatic implications for our efforts at early warning and preventative diplomacy. And we have seen this at the State Department in regard to our efforts with regard to Kosovo. It is for this reason that we at the State Department are working with NGOs, intergovernmental entities, and national governments to hold a large conference of both public and private actors to begin developing a coordinated network on atrocities prevention and response, which will have the goal not just of collecting and sharing information, which is something that we sought to do through an announcement by the President on December 10 of the genocide early warning network, but also to develop coordinated mechanisms whereby this network can prevent and more effectively respond to crises as they evolve.

A second challenge is the role of non-state actors, for even as nation-states proliferate, we are seeing more dramatically the increasing importance of nongovernmental actors as both human rights violators and human rights defenders. Multinational corporations and financial institutions, non-governmental organizations, labor unions, indigenous and ethnic groups, and transnational moral organizations such as organized religious groups, all now represent critical nodes on a network of influence in human rights that rivals and at times dwarfs the power of individual states.

With regard to non-state actors, I believe the central challenge will be how to mobilize private incentives to create a race to the top, not a race to the bottom, in the development of these human rights standards.

The third and perhaps most critical challenge we face at the millennium is the challenge of self-governance and democracy. Around the world, we are witnessing popular movements for independence and democracy. From Kosovo to East Timor, groups are demanding the right to determine their own future. But these developments are not necessarily coming at the cost of integration. Witness Europe, where entities such as Scotland and Catalonia have peacefully sought both greater autonomy and full participation in European institutions. The fundamental challenge facing policymakers is how to guide such movements away from the temptations of violence, separatism, and ethnic cleansing, and toward the promise of greater autonomy within a framework of democracy and human rights.

I think we need to recognize that the right to democracy is both a means and an end in the struggle for human rights. Freedom of conscience, expression, religion, and association are all bolstered in genuine democracies. In saying so, I think we have to acknowledge that the government of the people cannot be imposed from the outside. As Secretary Albright recently said, "[D]emocracy must emerge from the desire of individuals to participate in the decisions that shape their lives. \* \* \* Unlike dictatorship, democracy is never an imposition; it is always a choice."

As we have learned through bitter experience, democracy also must be more than simply holding elections. The slow development of democracy over the past several years has demonstrated that our purpose is not just developing and holding elections but

respect for human rights in a robust civil society characterized by the rule of law, healthy political institutions, constitutionalism, an independent judiciary with open and competitive economic structures, an independent media capable of engaging in informed debate with freedom of religion and belief, mechanism to safeguard minorities, and full respect for women's and worker rights. These principles—together with free and fair elections—form the basis for a culture of democracy. As my predecessor, John Shattuck, has said, building this culture is never easy, but the rewards make this effort profoundly worthwhile.

Well, if these are our challenges—globalization, non-state actors, and democracies—what should be our response? Here let me just mention four principles that I believe must guide our human rights policy into the next century. Those of you who have heard me speak since I have become Assistant Secretary have heard these principles before. I repeat them just to show that after four months, I still believe that they are the centerpieces of our policy. The first and most important task, I think, is to tell the truth about human rights conditions in our asylum profiles, in our investigations, in our country reports, in our monitoring. \* \* \*

The second basic principle is that I believe we ought to stand up for principles, particularly in taking consistent positions with regard to past, present, and future abuses. With regard to past abuses, we try persistently to promote the principles of accountability. To stop ongoing abuses, we use an "inside-outside" approach that combines strategies of internal persuasion with tools of external sanction. To prevent further abuses, we promote the principles of early warning and preventive diplomacy. The atrocities prevention network I've just discussed is an example of how we try to achieve that goal.

That brings me to my third basic principle: How do we continue to speak for fundamental freedoms? Let me mention four, which are going to be a central focus of our work over the next few years. The first, freedom of thought, conscience and religion, is in Article 18 of the Universal Declaration. Religious freedom is under attack around the world. We see it every day in the newspapers papers—in Indonesia, in China, in Sudan—against people of all faiths and beliefs. Yet here in the United States, I think too many people continue to view this as a partisan or ideological issue. I don't believe that this is something in which we should be selective in our advocacy. Having now met and talked to people of all faiths in many parts of the world who are experiencing violations of religious freedom, it is so core to the central notion of freedom of thought and consciousness that we must address these challenges, both with tools that we are given by the legislature and through other means, with the goal of combating all abuses of this fundamental freedom.

A second arena in which we hope aggressively to contend is worker rights. Our bureau's tile is the Bureau of Democracy, Human Rights and Labor. And, of course, Article 23 of the Declaration states that "everyone has the right to work, to free choice of employment, to just and favorable conditions." Traditionally, U.S. policy has sought to promote this goal by supporting free trade unions, but I think what we now need to do is to focus on core labor standards, freedom

of association, the right to organize and bargain collectively, freedom from forced or compulsory labor, freedom from abusive child labor, and non-discrimination in employment. The President in his State of the Union address and again in his speech in San Francisco identified ILO standards and the child labor struggle as one which he intends to devote a high degree of personal energy in the balance of his term. We at DRL are committed to trying to develop new approaches to replace what has become an unnecessarily adversarial relationship between labor, business, and human rights groups and to try to move toward a more cooperative model. And there are many of you who were involved in the discussions over the apparel industry partnership, who took a step in the right direction and one that we hope to build on with the goal of developing even stronger partnerships, private partnerships of non-state actors around core labor standards.

Third, we must continue to promote the equal treatment of, and prevention of discrimination and violence against, women. Traditionally, we have sought to do this through a variety of means ranging from domestic legislation to international campaigns against trafficking, female genital mutilation, and to recognize that the women's rights issue cannot be ghettoized as a women's issue that is not of concern to the general human rights community. And our need here is again to heal gender divisions. And we are going to press as hard as we can in the next few years of this administration to bring about the long, delayed ratification of the UN Convention on the Elimination of Discrimination against Women.

Fourth and finally, another area in which I believe we must move forward is the area of economic, social, and cultural rights, and to recognize, as we said in Vienna, that these rights are "universal, indivisible, interdependent, and interrelated." Martin Luther King, I think, understood this idea well when he said "What good is it to have the right to sit at a lunch counter when you don't have enough money to buy anything to eat?" He also said "We must be 'cognizant of the interrelatedness of all [things]. \* \* \* Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny.'" We need to take freedom from poverty, for example, and treat it not just as an economic right, but as something connected deeply to political repression. We need to understand that the right to organize means little without the right to food.

This brings me to my final principle, that no government working to promote human rights can work alone. We need to think of ourselves as members of a global human rights community that now extends beyond public and private lines, that now crosses national lines, that moves beyond institutional lines. Judges, executive branch officials, legislatures, intergovernmental organizations, and NGOs are all parts of this community, of which I think all of us here are part. It is vital that we recognize and embrace its common commitment to truth, justice, freedom, and democratic partnership. If that sounds suspiciously like a commitment to truth, justice, and the American way, I plead guilty because I do believe that in the next century, the real divide among nations will not be ideological divides, or between North and South or East and West, but rather between those nations that respect human rights and those that do not.

These are our challenges. These are the principles that ought to guide our response.

These tasks are daunting, but I think that they are in slow, exacting measure attainable. I don't know how many of us thought that we could get as far as we have, even in the one lifetime that the human rights movement has lived.

When I was in Belgrade in December, I gave an interview to B92, which, as many of you know, is an independent radio station. They were somewhat demoralized, as they should be, by the repression of the media in Yugoslavia. And they said to me, "What can you say to us on the eve of Christmas that can give us some hope?" There was a moment of silence, and then I said: Madeleine Albright was born in Czechoslovakia. And she was exiled. Now she is Secretary of State. My family became political exiles from Korea. Now I am the Assistant Secretary of State for Human Rights. Now, both of our countries are free. A lot can change in one lifetime.

In 20 years of human rights policy, we have made progress. Although we have a long way to go, for myself, for my Secretary, for my family, I can think of no higher honor than to carry the banner of democracy, human rights, and labor into the next century. Thank you.

#### RURAL CELLULAR LEGISLATION

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 14, 1999

Mr. GILMAN. Mr. Speaker, I'm introducing legislation to improve cellular telephone service in three rural areas located in Pennsylvania, Minnesota, and Florida. Joining me as cosponsors are Reps. CAROLYN MALONEY and ANNA ESHOO.

Most rural areas of this country have two cellular licensees competing to provide quality service over their respective service territories. Competition between two licensees improves service for businesses, governments, and private users, at the same time, improves response times for emergency services.

Unfortunately, three rural service areas in Pennsylvania, Minnesota, and Florida do not enjoy the benefit of this competition. The Pennsylvania rural service area and the Florida rural service area each have two operators, but one of the operators in each area is operating under a temporary license and thus lacks the incentive to optimize service. The reason for this lack of competition is that in 1992 the FCC disqualified three partnerships that had won the licenses, after finding that they had not complied with its "letter-perfect" application rule under the foreign ownership restrictions of the Communications Act of 1934. Significantly, the FCC has allowed other similarly situated licensees to correct their applications and, moreover, Congress repealed the relevant foreign ownership restrictions in the Telecommunications Act of 1996.

In the 105th Congress, former Rep. Joe McDade, joined by Rep. ANNA ESHOO and former Rep. Scott Klug, introduced H.R. 2901 to address this problem. In September 1998, the Telecommunications Subcommittee of the Commerce Committee held a hearing on FCC spectrum management that included testimony on and discussion of H.R. 2901. Later that

month, the full Commerce Committee incorporated a modified version of H.R. 2901 into H.R. 3888, the Anti-Slamming bill. In October 1998, the House approved H.R. 3888, incorporating a further modified version of H.R. 2901, by voice vote on suspension (Congressional Record, Oct. 12, 1998, H10606-H10615). Unfortunately, the bill died in the Senate in the last few days prior to adjournment for reasons unrelated to the rural cellular provision.

The legislation I am introducing today is based on the rural cellular provision contained in H.R. 3888, as approved by the House. The legislation would direct the FCC to allow the partnerships denied licenses to serve the Pennsylvania, Minnesota, and Florida rural services areas to resubmit their applications consistent with FCC rules and procedures. The partnerships would pay fees to the FCC consistent with previous FCC auctions and settlements with other similarly situated licensees. To ensure speedy service to cellular customers, the FCC would have 90 days from date of enactment to award permanent licenses, and if any company failed to comply with FCC requirements the FCC would auction the license. The licenses would be subject to a five-year transfer restriction, and the Minnesota and Florida licenses would be subject to accelerated build-out requirements.

I am submitting a copy of this legislation to be included in the RECORD.

H.R. —

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. REINSTATEMENT OF APPLICANTS AS TENTATIVE SELECTEES.

(a) IN GENERAL.—Notwithstanding the order of the Federal Communications Commission in the proceeding described in subsection (c), the Commission shall—

(1) reinstate each applicant as a tentative selectee under the covered rural service area licensing proceeding; and

(2) permit each applicant to amend its application, to the extent necessary to update factual information and to comply with the rules of the Commission, at any time before the Commission's final licensing action in the covered rural service area licensing proceeding.

(b) EXEMPTION FROM PETITIONS TO DENY.—For purposes of the amended applications filed pursuant to subsection (a)(2), the provisions of section 309(d)(1) of the Communications Act of 1934 (47 U.S.C. 309(d)(1)) shall not apply.

(c) PROCEEDING.—The proceeding described in this subsection is the proceeding of the Commission In re Applications of Cellwave Telephone Services L.P., Futurewave General Partners L.P., and Great Western Cellular Partners, 7 FCC Rcd No. 19 (1992).

#### SEC. 2. CONTINUATION OF LICENSE PROCEEDING; FEE ASSESSMENT.

(a) AWARD OF LICENSES.—The Commission shall award licenses under the covered rural service area licensing proceeding within 90 days after the date of the enactment of this Act.

(b) SERVICE REQUIREMENTS.—The Commission shall provide that, as a condition of an applicant receiving a license pursuant to the covered rural service area licensing proceeding, the applicant shall provide cellular radio-telephone service to subscribers in accordance with sections 22.946 and 22.947 of the